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PAGE 1

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To: Charles Alan Marmor II  
Art Unit 3736

From: John Smith-Hill

AUG 19 2004

Firm: US PATENT AND  
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Date: August 19, 2004

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Your ref: 10/071,534

Pages: Cover + 2

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Donna K. BARTON et al

Art Unit: 3736

Application No: 10/771,534

Examiner:  
Charles A. Marmor II

Filed: February 8, 2002

For: SKIN PATCH INCLUDING A TEMPERATURE  
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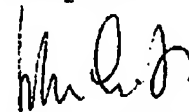
AUG 19 2004

Sir:

Applicant gratefully acknowledges that this application has been allowed. Applicant believes that the examiner's statement of reasons for allowance of the independent claims 1, 16 and 21 might be considered to rely on limitations that are not in fact present in the independent claims. Specifically, although claim 1 states that the telesensor is sandwiched between the first and second layers, the claim does not state explicitly that the first layer of material has a face that is in contact with the telesensor. To the extent that the examiner's reference in the statement regarding claim 16 to "the face attached to the telesensor" might be considered to require that the telesensor is in direct contact with a face of the flexible circuit substrate, applicant respectfully points out that claim 16 requires that the telesensor be attached to the flexible circuit substrate and does not exclude the possibility of there being a layer of material interposed between the flexible circuit substrate and the telesensor. Similarly, to the extent that the reference in the examiner's statement regarding claim 21 to the telesensor being

attached to a side of the flexible circuit substrate might be considered to require that the telesensor is in direct contact with the flexible circuit substrate, without an intermediate layer therebetween, applicant respectfully points out that claim 21 requires that the telesensor be attached to the flexible circuit substrate and does not exclude the possibility of an intermediate layer. Applicant relies on the positively recited limitations of the independent claims for patentability of the invention.

Respectfully submitted,



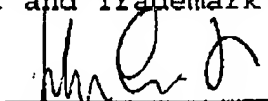
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John Smith-Hill

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